

The Hearing Process

1. A dairy farmer, dairy farmer cooperative, handler or other interested party submits a proposal(s) to amend a provision of a Federal milk marketing order(s). The proposal(s) must address each point in the *Justification of Proposal*.
2. If USDA decides that a proposal(s) merits further consideration, additional proposals may be requested. Also, the time and place of a pre-hearing information session may be announced.
3. If a pre-hearing information session is held, interested parties will have the opportunity to clarify their proposals to the USDA, and have the opportunity to ask procedural questions. Proposals may be modified or withdrawn up to three days after the close of the pre-hearing information session.
4. A Notice of Hearing is published in the Federal Register.
5. The hearing is held. Federal milk marketing order hearings are presided over by an Administrative Law Judge and open to public participation.
6. Hearing transcripts are made available.
7. Suggested corrections to the transcript and hearing briefs are submitted.
8. Depending on the issue at hand, USDA publishes a Recommended or Tentative Decision.
9. If a Recommended Decision is published, interested parties have the opportunity to submit comments and exceptions to the rule. USDA then takes any comments or exceptions into consideration, and publishes a Final Decision that is voted on by producers. If a Tentative Decision is published, producers immediately vote on the proposed amendments. Depending on the outcome of the vote, the rule is immediately implemented on an interim basis. Interested parties then have the opportunity to submit comments or exceptions to the interim rule. USDA takes any comments or exceptions into consideration and publishes a Final Decision that is again voted on by producers.
10. A Final Rule is published and the amendment is permanently implemented.